

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

Benetta Sidney	)	
	)	
Plaintiff,	)	No. 09 C 7790
	)	Judge Wayne Andersen
vs.	)	Magistrate Judge Cole
	)	
Thomas J. Dart, Sheriff of Cook County	)	
and Cook County, Illinois	)	
	)	
Defendants	)	

**DISCOVERY PLAN AND SCHEDULE**

Plaintiff, by and through her attorney, Thomas G. Morrissey, Ltd., and defendants, by and through their attorney, Patrick S. Smith, Assistant State's Attorney, state as follows:

1. Discovery will be needed on the following subjects:
  - a. Whether the Sheriff Thomas J. Dart has an official policy requiring correctional officers to shackle pregnant woman, who are in the custody of the Sheriff of Cook County, during and immediately after labor and delivery.
  - b. Whether defendant Dart has enforced his shackling policy in willful and wanton disregard of the Illinois statute, complied as 55 ILCS 5/3-15003.6
  - c. Whether the bodily restraints used on the plaintiff during her labor, delivery and recovery following delivery was Arationally related to a legitimate non-punitive government purpose,@ as required by *May v. Sheahan*, 226 F.3d 876, 884 (7<sup>th</sup> Cir. 2000).
  - d. The extent the plaintiff incurred physical and emotional injuries as a result of the defendants

actions.

2. Disclosures pursuant to Fed. R. Civ. P. 26(a)(1) were tendered to defendants on February 11, 2010. Defendants will make their Rule 26(a)(1) disclosures by February 28, 2010.

3. The parties will need 90 days to complete oral and written discovery.

4. The Plaintiff anticipates taking five depositions. The defendants anticipate taking the deposition of the plaintiff.

5. Reports from retained experts under Rule 26(a)(2) due:

Plaintiffs by May 1, 2010

Defendants by July 1, 2010

6. The parties do not agree to proceed before a Magistrate Judge.

/s/Thomas G. Morrissey  
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/s/ Patrick S. Smith,  
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